

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Matthew Chaves	Team: Squad #07	CCRB Case #: 202103883	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input checked="" type="checkbox"/> Injury
Incident Date(s) Tuesday, 06/04/2019 10:05 PM	Location of Incident: 1565 Townsend Avenue	18 Mo. SOL 7/21/2021	Precinct: 44		
Date/Time CV Reported Thu, 06/13/2019 11:58 AM	CV Reported At: CCRB	How CV Reported: In-person	Date/Time Received at CCRB Thu, 06/13/2019 11:58 AM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. Officers			
2. POM Michael Meneses	11225	964654	044 PCT
3. SGT Timothy Burke	03879	950130	044 DET
4. POF Michelle Brady	10934	964373	M E L D
5. POM Hensley Caraballo	21957	962970	MTS PCT
6. POM Roosvelt Monestime	11216	960959	044 PCT
7. POM Robert Gaylog	09105	963533	INT CIS
8. SGT Paul Negersmith	04523	945263	044 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM Melvin Balbuena	06302	953656	044 PCT
2. POM Daniel Diaz	28347	940091	044 PCT
3. POM Maximo Gomez	06426	958643	044 PCT
4. POM Vincent Ritell	22044	955378	PBBX
5. POM Kennedy Marte	08896	957814	PBBX
6. POM Philip Heckett	02734	966615	044 PCT
7. POM Mark Buono	22456	962276	044 PCT
8. SGT Christophe Crain	01266	933719	048 PCT
9. POM Sean Kelly	22679	959727	044 DET
10. SGT Daniel Maria	04955	954096	043 PCT
11. POM Austin Joyce	03480	964578	044 PCT
12. POM Luke Brennan	01019	967734	048 PCT
13. DTS Roger Bennett	05075	934480	044 PCT
14. POM Vladimir Julien	17604	958736	044 PCT
15. LT William Beissel	00000	934469	044 PCT

Officer(s)	Allegation	Investigator Recommendation
A . POF Michelle Brady	Discourtesy: Police Officer Michelle Brady spoke discourteously to § 87(2)(b)	
B . SGT Paul Negersmith	Abuse: Sergeant Paul Negersmith arrested § 87(2)(b) unlawfully.	
C . POF Michelle Brady	Force: Police Officer Michelle Brady used physical force against § 87(2)(b)	
D . POM Michael Meneses	Force: Police Officer Michael Meneses used physical force against § 87(2)(b)	
E . POM Roosevelt Monestime	Force: Police Officer Roosevelt Monestime used physical force against § 87(2)(b)	
F . POM Robert Gaylog	Force: Police Officer Robert Gaylog used physical force against § 87(2)(b)	
G . POM Hensley Caraballo	Force: Police Officer Hensley Caraballo used physical force against § 87(2)(b)	
H . SGT Timothy Burke	Abuse: Sergeant Timothy Burke threatened individuals with the use of force.	
I . SGT Timothy Burke	Discourtesy: Sergeant Timothy Burke spoke discourteously to individuals.	
J . Officers	Force: Officers used physical force against § 87(2)(b)	
K . Officers	Force: Officers used a chokehold against § 87(2)(b)	
L . Officers	Force: Officers restricted § 87(2)(b) breathing.	

Case Summary

On June 13, 2019, § 87(2)(b) came to the CCRB for an interview appointment regarding complaint number 201904816. After providing a statement for that complaint, he reported the following incident as a non-witnessing complainant. § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

At approximately 10:05 p.m. on June 4, 2019, Lt. Daniel Bianco, PO Michael Sheridan, and PO Maximo Gomez of the 44th Precinct saw § 87(2)(b) standing outside of 1565 Townsend Avenue in the Bronx. The NYPD was seeking § 87(2)(b) for allegedly instructing another civilian to vandalize a police vehicle two days prior (see complaint number § 87(2)(b)). As the officers pursued § 87(2)(b) and forcibly arrested other civilians (see complaint number § 87(2)(b)), a large crowd formed, and numerous officers responded to the scene as backup.

Sgt. Paul Negersmith, PO Michelle Brady, PO Michael Meneses, and PO Roosevelt Monestime of the 44th Precinct walked along E Mt Eden Street, ordering nearby civilians to disperse. PO Brady threatened § 87(2)(b) with arrest if he remained in the area and cursed at him (**Allegation A: Discourtesy: Word:** § 87(2)(g)). Sgt. Negersmith then ordered § 87(2)(b) arrest and grabbed him (**Allegation B: Abuse of Authority: Unlawful Arrest:** § 87(2)(g)). PO Brady, PO Meneses, and PO Monestime then began grappling with § 87(2)(b) and they were quickly joined by PO Gaylog (**Allegation C: Force: Physical Force:** § 87(2)(g)), **Allegation D: Force: Physical Force:** § 87(2)(g), **Allegation E: Force: Physical Force:** § 87(2)(g), **Allegation F: Force: Physical Force:** § 87(2)(g)). PO Hensley Caraballo of the 44th Precinct joined the struggle soon after (**Allegation G: Force: Physical Force:** § 87(2)(g)), along with unidentified officers. As officers apprehended § 87(2)(b), Sgt. Timothy Burke of the 44th Precinct shouted, “Anybody else want some of this shit?”, “Get the fuck off my block!” and “Get the fuck out!” at unidentified civilians (**Allegation H: Abuse of Authority: Threat of Force:** § 87(2)(g)), **Allegation I: Discourtesy: Word:** § 87(2)(g)).

As the officers struggled to handcuff § 87(2)(b), officers allegedly punched and kicked § 87(2)(b) multiple times (**Allegation J: Force: Physical Force:** § 87(2)(g)). Officers brought § 87(2)(b) to his feet while he was not fully restrained, then brought him back to the ground. During this process, an officer allegedly gripped § 87(2)(b) throat in a chokehold (**Allegation K: Force: Physical Force:** § 87(2)(g)).

Officers eventually finished handcuffing § 87(2)(b) and took him to the 44th Precinct stationhouse, and charged him with § 87(2)(b). Officers also arrested § 87(2)(b) and § 87(2)(b) within several yards of § 87(2)(b).

On October 5, 2020, the NYPD Legal Bureau confirmed the presence of 60 total BWC videos for this incident, but only provided 11 to the investigation (**Board Review 01**). § 87(2)(g)

After identifying and re-requesting those videos which appeared relevant to this incident, the investigator received 33 additional BWC videos on August 2, 2021 (**Board Review 02**). PO Brady (**Board Review 03**), PO Meneses (**Board Review 04**), Sgt. Negersmith (**Board Review 05**), PO Monestime (**Board Review 06**), PO Gaylog (**Board Review 07**), PO Caraballo (**Board Review 08**), and Sgt. Burke (**Board Review 09**) all made BWC videos that are relevant to the FADO allegations.

Findings and Recommendations

Allegation A – Discourtesy: Word: Police Officer Michelle Brady spoke discourteously to § 87(2)(b)

Allegation B – Abuse of Authority: Unlawful Arrest: Sergeant Paul Negersmith arrested § 87(2)(b) unlawfully.

§ 87(2)(b) provided a sworn statement on September 3, 2019 (**Board Review 10**). Sgt. Negersmith was interviewed on April 14, 2021.

At approximately 10:05 PM on June 4, 2019, Lt. Bianco and his subordinate officers observed § 87(2)(b) in front of 1565 Townsend Avenue. The officers approached § 87(2)(b) intending to arrest him for allegedly instructing another civilian to vandalize an NYPD vehicle two days prior. However, the officers first encountered § 87(2)(b) and forcibly arrested him for allegedly obstructing their path to § 87(2)(b). A crowd formed, including § 87(2)(b), who allegedly threw food at Lt. Bianco. Officers then chased, Tased, and arrested § 87(2)(b) on the opposite side of the intersection of E Mt. Eden Avenue and Townsend Avenue. § 87(2)(g)

As the incident escalated, numerous officers responded to the intersection and clusters of civilians formed around it. As best shown in PO Brady's first BWC video (starting at 0:40 of **Board Review 03**), § 87(2)(b) stood briefly near the edge of the sidewalk and crosswalk on the western corner of E Mt. Eden Avenue and Townsend Avenue. A male officer pointed at § 87(2)(b) and instructed him to get back on the sidewalk, and § 87(2)(b) immediately took several steps backward as directed. § 87(2)(b) stood next to an unidentified civilian (a male in a green, Champion-brand sweatshirt) who encouraged § 87(2)(b) to remain on the sidewalk and "not give [the officers] nothing." § 87(2)(b) and the unidentified civilian stood next to one another for approximately 15 seconds (until 1:05 of **Board Review 03**) without incident. § 87(2)(b) began to walk west along E Mt. Eden Avenue (away from PO Brady and most of the nearby officers) as Lt. Bianco shouted for officers to "Push these people off the block!" Lt. Bianco can be heard giving this order on multiple officers' BWC videos (including PO Brady's first one, **Board Review 03**), and can be seen giving the order at 1:20 in Sgt. Negersmith's second BWC video (**Board Review 05**).

Officers immediately formed a rough line and walked west along the southern sidewalk of E Mt. Eden Avenue. After only a few steps, PO Brady extended her arms and touched the unidentified civilian's body while shouting for him to leave the area. The civilian shouted back that he was "going this way" while pointing diagonally across the

intersection. After shouting back and forth for a few seconds, PO Brady allowed the civilian to walk away in the direction he was pointing (1:05 to 1:15 of **Board Review 03**). She then continued walking west along the sidewalk.

At the same time, Sgt. Burke approached § 87(2)(b) closely and began pushing him west (1:05 to 1:17 of Sgt. Burke's BWC video, **Board Review 09**). § 87(2)(b) pointed diagonally over Sgt. Burke's shoulder and said, "I'm going that way, I live there, why?! I'm going home!" Sgt. Burke spoke over § 87(2)(b) telling him repeatedly that he was, in fact, going the other way.

PO Brady then approached § 87(2)(b) told him three times in rapid succession to "get out of here," and put her hand on his left shoulder (1:15 to 1:20 of **Board Review 03**). She then told § 87(2)(b) "You're about to be cuffed in a second. § 87(2)(b) told the officers "don't touch me" while backing up (still headed west, away from the officers). PO Brady then shouted "Get the fuck out of here" twice at § 87(2)(b).

While Sgt. Burke and PO Brady interacted with § 87(2)(b) Sgt. Negersmith walked west next to them and guided another unidentified civilian away from the original incident intersection (1:30 to 1:45 of Sgt. Negersmith's second BWC video, **Board Review 05**). Approximately five seconds after PO Brady told § 87(2)(b) that he was about to handcuffed, Sgt. Negersmith turned around, said "Nope, we're going, we're going," and began wrestling with § 87(2)(b). After approximately five seconds (during which Sgt. Negersmith's BWC video is completely obscured), Sgt. Negersmith moved away from § 87(2)(b) (by then on the sidewalk, beneath multiple officers) and shouted at civilians further down the block to leave the area.

In his interview, Sgt. Negersmith confirmed that he commanded the crowd on the corner of E Mt. Eden Avenue to disperse. His reason for commanding the crowd to disperse was to maintain the safety of both the officers and the individuals. Nothing about the crowd's behavior or statements were threatening and no one threw anything at this point.

In his interview, Sgt. Negersmith said that § 87(2)(b) refused to back up. As noted above, PO Brady's BWC shows § 87(2)(b) repeatedly telling officers that he wants to leave the area in a specific direction so that he can get to his home. During this interaction, § 87(2)(b) faced the officers while sporadically stepping backwards as the officers walked forward towards him.

Sgt. Negersmith tried to grab § 87(2)(b) hand and wrist, but § 87(2)(b) pulled his hand away and tried to walk away. At this point, Sgt. Negersmith considered § 87(2)(b) under arrest for disorderly conduct (specifically, refusing a lawful order to disperse).

Sgt. Negersmith stated in his interview that he did not prepare any documentation for this incident. § 87(2)(b) arrest report (**Board Review 11**) lists PO Sheridan as the arresting officer and Lt. Bianco as the approving supervisor. § 87(2)(b) sole charge was resisting arrest. The arrest report narrative states, in full, "§ 87(2)(a) 160.50

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

This narrative is, word for word, identical to the narrative used on the arrest reports

for § 87(2)(b) (Board Review 12), § 87(2)(b) (Board Review 13), and § 87(2)(b) (Board Review 14), which also all list PO Sheridan and Lt. Bianco as the arresting and approving officers. The narrative language is identical despite officers charging all three civilians with different combinations of crimes and § 87(2)(b) being female (the narrative refers to her as “he” or “his” four times). Furthermore, the narratives are objectively inaccurate when applied to § 87(2)(b) and § 87(2)(b) who were all apprehended well after § 87(2)(b) allegedly obstructed officers from apprehending § 87(2)(b) (the “other wanted defendant”) and officers put out a 10-85 radio call for help.

Under DAO-DCT Case Number 2015-15012, discourteous language may be excusable when an officer is speaking in the context of a dynamic situation over which he is still attempting to gain control (Board Review 15).

Under New York Penal Law 240.20.6, a person is guilty of disorderly conduct when they congregate with other persons in a public place and refuse to comply with a lawful order of the police to disperse (Board Review 16).

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

Allegation C – Force: Physical force: Police Officer Michelle Brady used physical force against § 87(2)(b)

Allegation D – Force: Physical force: Police Officer Michael Meneses used physical force against § 87(2)(b)

Allegation E – Force: Physical force: Police Officer Roosevelt Monestime used physical force against § 87(2)(b)

Allegation F – Force: Physical force: Police Officer Robert Gaylog used physical force against § 87(2)(b)

Allegation G – Force: Physical Force: Police Officer Hensley Caraballo used physical force against § 87(2)(b)

PO Meneses was interviewed on March 26, 2021 (**Board Review 17**).

The available BWC collectively shows that Sgt. Negersmith announced that § 87(2)(b) was under arrest and briefly grabbed him. Then, multiple officers brought § 87(2)(b) to the ground and attempted to handcuff him. This is consistent with the TRI that PO Meneses prepared, which notes that officers used a forcible takedown against § 87(2)(b) (**Board Review 18**). The available video shows that PO Monestime, PO Gaylog, and PO Meneses began grappling with § 87(2)(b) almost immediately after Sgt. Negersmith and PO Brady grabbed him, while PO Caraballo entered the struggle several seconds after § 87(2)(b) was on the ground. The available video does not show how § 87(2)(b) came to be on the ground.

In his interview, Sgt. Negersmith said that after trying to grab § 87(2)(b) an unknown officer or officers stepped between him and § 87(2)(b). After the unknown officer(s) stepped in, Sgt. Negersmith turned his attention back to the crowd. He did not see further resistance from § 87(2)(b). Sgt. Negersmith remembered seeing § 87(2)(b) handcuffed on the ground but did not see or know how he came to be on the ground.

In his interview, PO Meneses stated that as § 87(2)(b) stood upright, PO Meneses grabbed his arms and tried to handcuff him. § 87(2)(b) flailed and stiffened his arms, and “moved around,” which made it difficult for PO Meneses to handcuff him. PO Meneses could not describe how § 87(2)(b) “moved around.” PO Meneses could not recall how long it took to place § 87(2)(b) in custody, or whether he had assistance doing so. He denied that he used any force against § 87(2)(b).

When presented with the TRI he prepared regarding § 87(2)(b), PO Meneses stated that he did not recall what injuries § 87(2)(b) sustained. He explained that § 87(2)(b) “pushed” him (as noted in the TRI) in that § 87(2)(b) stiffened his arms, which propelled PO Meneses back by a short distance. PO Meneses was not otherwise able to explain the mechanics of how § 87(2)(b) pushed him. He was unable to explain why the TRI states that officers forcibly took § 87(2)(b) to the ground.

Under NYPD Patrol Guide 221-01, all applications of force must be reasonable under the circumstance. Force may be used to arrest someone who has committed a crime (**Board Review 19**).

§ 87(2)(g)

Allegation H – Abuse of Authority: Threat of force: Sergeant Timothy Burke threatened individuals with the use of force.

Allegation I – Discourtesy: Word: Sergeant Timothy Burke spoke discourteously to individuals.

Sgt. Burke was interviewed on December 2, 2021 (**Board Review 20**).

In his interview, Sgt. Burke viewed his BWC video from 1:27 to 1:41 (**Board Review 09**). Sgt. Burke acknowledged saying, “Anybody else want some of this shit?!” and “Get the fuck off my block!” as other officers began to arrest § 87(2)(b). He said these phrases because people were apparently not complying with orders to leave the area and he wanted to control the area while using a minimum amount of force. Generally, during this type of situation, Sgt. Burke worries about thrown objects, people interfering with arrests, and people attacking police officers. There had been several prior incidents at this location including a NYPD vehicle tire slashing, so Sgt. Burke felt it was reasonable to believe that this crowd would be extra confrontational or aggressive. Finally, there were uninvolved civilians who the aggressive civilians could injure in some way if the situation was not controlled. Sgt. Burke did not recognize any of the people were who he cursed at, and no further factors motivated his use of profanity.

§ 87(2)(g)

Approximately three civilians are visible in his BWC as he begins shouting, all of whom are walking away from him (and § 87(2)(b) arrest). As Sgt. Burke begins to curse, none of the civilians say anything to him or stop walking away from the incident. By the end of this portion of the incident, Sgt. Burke began pursuing the civilians, now several yards away from him, while shouting.

Under NYPD Patrol Guide 221-01, all applications of force must be reasonable under the circumstances (**Board Review 19**).

Under DAO-DCT Case Number 2015-15012, discourteous language may be excusable when an officer is speaking in the context of a dynamic situation over which he is still attempting to gain control. However, discourteous statements are prohibited when they serve no legitimate purpose but to belittle the civilian (**Board Review 15**).

§ 87(2)(g)

Allegation J – Force: Physical force: Officers used physical force against § 87(2)(b).

Allegation K – Force: Chokehold: Officers used a chokehold against § 87(2)(b).

Allegation L – Restricted Breathing: Officers restricted § 87(2)(b) breathing.

In his interview, § 87(2)(b) stated that officers brought him to the ground so that he landed on his front, with his left arm pinned underneath his body. An officer or officers

was already holding § 87(2)(b)'s right arm behind his back at this point. An officer or officers told § 87(2)(b) to put his left arm behind his back, but § 87(2)(b) was unable to do so. An officer or officers was on top of § 87(2)(b)'s back, pinning him to the ground on top of his left arm. § 87(2)(b) believed that an officer had a knee pushing into his back.

§ 87(2)(b) felt approximately ten strikes against his left ribs. He felt approximately five strikes against the back of his head and the back of his neck. § 87(2)(b) did not believe that these strikes caused him to bleed. As the officers were striking him, they told § 87(2)(b) to put his hands behind his back. § 87(2)(b) told the officers to stop hitting him and that he could not move his arm because they were pinning him.

§ 87(2)(b) then felt a booted foot stomp on the back of his head approximately five times. Each time the apparent foot came down on his head, it pushed his forehead and face into the ground. These impacts caused § 87(2)(b) to bleed from the forehead.

An officer or officers pulled hard on § 87(2)(b)'s left arm and got it out from under his body. This pulling scraped § 87(2)(b)'s left elbow on the ground, causing an abrasion. An officer then handcuffed § 87(2)(b) and § 87(2)(b) was brought to his feet. § 87(2)(b) was on the ground for approximately one minute before he was stood up.

As he was stood up, § 87(2)(b) could not see the officers who were using force against him. § 87(2)(b) was on his feet for a few seconds. During this time, he felt his handcuffs come off. He believed that the handcuffs had not locked properly, because he was able to place his hands at his sides. An officer immediately grabbed § 87(2)(b) by the left side of his neck with a single open hand, so that the officer's thumb was curled around the back of § 87(2)(b)'s neck and the officer's other four fingers were curled around his throat. The officer used this grip to force § 87(2)(b) back on to the ground. § 87(2)(b) also felt someone pushing him towards the ground at his right shoulder. He did not feel anyone touch his legs.

§ 87(2)(b) landed on his front again. The officer continued to grip his neck and throat with the same single-handed grip, restricting his breathing for approximately 20 seconds. § 87(2)(b) never felt an officer wrap their arms around his neck and throat or use any other grip to restrict his breathing. § 87(2)(b) explained to the investigation that he has asthma and was unable to breathe or speak clearly as this was happening. He feared that he would die and tried to tell the officers that he had asthma and could not breathe. However, he was unable to speak loudly or clearly and did not believe any officer heard him.

As § 87(2)(b) was on his front, he felt a boot kick into the left side of his ribs approximately five times. This did not knock the wind out him, but the pressure of the kicks made it harder to breathe. An officer or officers put two sets of handcuffs on § 87(2)(b) and officers then picked him up. He was on the ground the second time for approximately 30 seconds. § 87(2)(b) was not able to describe any of the officers who took him to the ground, gripped his neck, kicked him, or handcuffed him.

§ 87(2)(b) provided multiple photos of injuries reportedly sustained during this incident (**Board Review 21**). Some of these photos show § 87(2)(b) in a court building wearing the same clothes that he was wearing during the incident, and reportedly were taken within 24 hours of the incident. Other photos were reportedly taken later that week. The photos collectively show § 87(2)(b) with bruises, abrasions, and scabbing on his knees, back, ribs, arms, shoulders, and forehead. One photo (page two of the PDF) shows abrasion and bruising across a broad area of the left side of § 87(2)(b) neck.

None of the officers interviewed for this complaint or complaint number § 87(2)(b)

provided any specific information about these allegations. The officers all stated that they either did not observe § 87(2)(b) arrest or did not recall details of it due to the chaotic situation and the amount of time between the incident and their interviews.

The available BWC video shows that officers physically struggled with § 87(2)(b) on the sidewalk for approximately one minute, during which time numerous officers and civilians shouted over one another. The video is chaotic and unclear due to poor lighting, officers' rapid motions, and frequent occlusion of the cameras' lenses by people's bodies. The available video does not allow the investigation to assign specific actions to specific officers or to conclude whether any officer struck or choked § 87(2)(b). PO Monestime's first BWC video (2:45 to 2:55 of **Board Review 06**) corroborates § 87(2)(b) account of eventually being restrained with two pairs of handcuffs.

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the second CCRB complaint to which § 87(2)(b) has been a party. § 87(2)(b)
- Sgt. Burke has been a member of service for 10 years and has been a subject in 14 other CCRB complaints and 34 other allegations, two of which were substantiated.
 - CCRB complaint number 201900379 involved a substantiated allegation of discourtesy (word) against Sgt. Burke. The Board recommended Command Level Instructions, and the NYPD enforced Instructions.
 - CCRB complaint number 201908431 involved a substantiated allegation of discourtesy (word) against Sgt. Burke. The Board recommended Formalized Training, and the NYPD enforced Formalized Training.
 - Additionally, CCRB complaints 202006530 and 202103439 are both currently open and involve allegations of discourtesy (word) against Sgt. Burke. In addition to this current complaint, Sgt. Burke has a total of four substantiated or open discourtesy (word) allegations.
- Sgt. Negersmith has been a member of service for 14 years and has been a subject in two other CCRB complaints and 12 allegations, none of which were substantiated (both complaints remain open). § 87(2)(g)
- PO Caraballo has been a subject in four other CCRB complaints and 14 allegations, one of which was substantiated. § 87(2)(g)
 - CCRB complaint number 201904816 involved a substantiated allegation of discourtesy (word) against PO Caraballo. The Board recommended Command Discipline A, and the NYPD enforced Command Discipline A (1 vacation day).
- PO Monestime has been a member of service for five years and has been a subject in one other CCRB complaint and two allegations, one of which was substantiated.

§ 87(2)(g)

- CCRB complaint number 201905313 involved a substantiated allegation of abuse of authority (refusal to obtain medical treatment) against PO Monestime. The Board recommended Command Discipline A, and the NYPD enforced Command Discipline A.
- PO Gaylog has been a member of service for four years and has been a subject in two other CCRB complaints and three allegations, one of which was substantiated.

§ 87(2)(g)

- CCRB complaint number 201905313 involved a substantiated allegation of discourtesy (word) against PO Gaylog. The Board recommended Formalized Training, and the NYPD enforced Instructions.
- PO Meneses has been a member of service for four years and has been a subject in two other CCRB complaints and six allegations, none of which were substantiated.

§ 87(2)(g)

- PO Brady has been a member of service for four years and this is the first CCRB complaint to which she has been a party.

Mediation, Civil and Criminal Histories

- This complaint was unsuitable for mediation.
- In response to a FOIL request for Notices of Claim filed regarding this incident, the NYC Office of the Comptroller provided paperwork indicating that § 87(2)(b) sued the City of New York for negligence, false arrest, false imprisonment, malicious prosecution, assault, and battery. § 87(2)(b) claimed \$1 million in damages (**Board Review 23**).

- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]

Squad No.: 7

Investigator:	Matt Chaves Signature	SI Matt Chaves Print Title & Name	01/03/2022 Date
Squad Leader:	_____ Signature	Manager Vanessa Rosen Print Title & Name	January 4, 2022 Date
Reviewer:	_____ Signature	_____ Print Title & Name	_____ Date